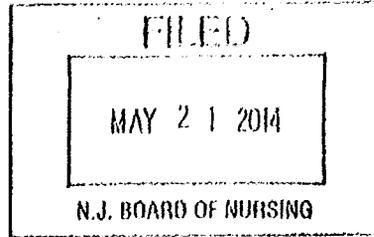
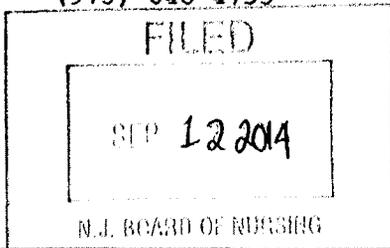


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR :
REVOCATION OF THE CERTIFICATE OF :
:
ROSARIO M. NINO DE GUZMAN, C.H.H.A. :
Certificate No. 26NH06098000 :
:
TO PRACTICE AS A :
HOMEMAKER HOME HEALTH AIDE :
IN THE STATE OF NEW JERSEY :

ADMINISTRATIVE
ACTION

PROVISIONAL ORDER OF
DISCIPLINE

Finalized by Default on:
09/12/2014

FINAL

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Rosario M. Nino De Guzman, C.H.H.A., ("Respondent") was certified as a homemaker-home health aide in the State of New Jersey on October 6, 1999. Her certificate was last renewed on October 25, 2011, and expired on November 30, 2013. (Copies of Respondent's

initial application for certification and certificate summary report are attached and made a part hereto as Exhibit A)

2. On or about January 28, 2009, Respondent contacted the Board and stated that she had married. As a result, her name and social security number had changed. The Board requested copies of her current social security card, former social security card, marriage certificate, homemaker-home health aide certificate, and documentation from the Social Security Administration as proof that Respondent's changed social security number was authorized and legitimate. (Copies of Respondent's current social security card, permanent resident card, marriage certificate, and Social Security Administration print-out are attached and made a part hereto as Exhibit B)

3. On or about February 23, 2009, Respondent provided the Board with copies of her current social security card, marriage certificate, permanent resident card, and a print-out from the Social Security Administration which confirmed her current social security number. (Copies of Respondent's current social security card, permanent resident card, marriage certificate, and Social Security Administration print-out are attached and made a part hereto as Exhibit B)

4. To date, Respondent has not provided any documentation to confirm a previous social security number had been assigned to her and that a new social security number was authorized and issued as a result of Respondent's marriage.

CONCLUSIONS OF LAW

Respondent's use of an unverifiable social security number on her initial application for certification constitutes obtaining a certificate through fraud, deception, or misrepresentation in violation of N.J.S.A. 45:1-21(a), the use or employment of dishonesty, fraud, deception, misrepresentation, false promise, or false pretense in violation of N.J.S.A. 45:1-21(b), and an act relating adversely to the practice of a certified homemaker-home health aide in violation of N.J.S.A. 45:1-21(f). These violations subject Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21, N.J.S.A. 45:1-22, and N.J.S.A. 45:1-25.

ACCORDINGLY, IT IS on this 21st day of May, 2014,

ORDERED that:

1. Respondent's certificate to practice as a homemaker-home health aide be and hereby is provisionally suspended for two years, said suspension to be stayed in its entirety.

2. Respondent shall provisionally remit payment of a fine and penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$200.00 by certified check or money order payable to the State of New Jersey, delivered to Executive Director George Hebert, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the entry of any Final Order of Discipline in this matter. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to George Hebert, Executive Director, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

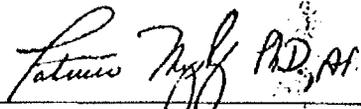
4. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered, and

5. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

6. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD., APN, FAAN
President